

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>IN RE NATIONAL COLLEGIATE</b>	)	<b>MDL No. 2492</b>
<b>ATHLETIC ASSOCIATION STUDENT-</b>	)	
<b>ATHLETE CONCUSSION INJURY</b>	)	<b>Master Docket No. 1:13-cv-09116</b>
<b>LITIGATION</b>	)	
	)	<b>This Document Relates to All Cases</b>
	)	
	)	<b>Judge John Z. Lee</b>
	)	
	)	<b>Magistrate Judge Geraldine Soat Brown</b>

## AGREED MOTION FOR AN EXTENSION OF TIME

The National Collegiate Athletic Association (the “NCAA”), by its counsel, respectfully requests an extension of time until May 16, 2016 for the NCAA and Class Counsel to supplement the record regarding the viability of single-school and single-school / single-sport bodily injury classes.<sup>1</sup> In support of this motion, the NCAA states as follows:

1. On January 26, 2016, the Court issued its Memorandum Opinion and Order addressing the pending motion for preliminary approval. See Mem. Op. and Order (Dkt. #246). In its January 26, 2016 Memorandum Opinion and Order, the Court proposed certain revisions to the Settlement Agreement, including a revision that would “limit[] the scope of the settlement class’s release of class-wide personal injury claims to those instances where the plaintiffs or claimants seek a nationwide class or where the proposed class consists of student-athletes from more than one NCAA-affiliated school.” Id. at 3. The Court further stated, however, that if the Parties “are agreeable to these modifications or are otherwise able to address the Court’s concerns, preliminary approval of the amended class settlement is granted.” Id.

<sup>1</sup> Capitalized terms have the meaning ascribed to them in the Amended Settlement Agreement, which is Exhibit 1 to the joint motion for preliminary approval filed with the Court on April 14, 2015. See Am. Settlement Agt. (Dkt. #154-1).

2. On February 29, 2016, the NCAA filed a Motion for Leave to Supplement the Record, requesting the Court's permission to submit portions of the Arrington record that bear on the viability of single-school and single-school / single-sport bodily injury classes, as well as a comprehensive numerosity analysis by the NCAA's expert, the Claro Group. See NCAA's Mot. for Leave to Suppl. the R. (Dkt. #249) at 3-4.

3. At a status conference on March 3, 2016, the Court granted the NCAA's Motion. See Min. Entry (Dkt. #257). The Court also granted a request by Class Counsel to supplement the record. See id. The Court ordered that the NCAA and Class Counsel file supplemental briefs by April 15, 2016. See id.

4. Since the March 3, 2016 status conference, the NCAA, Class Counsel and counsel for Lead Objector Anthony Nichols have arranged to engage in mediation before the Hon. Wayne R. Andersen. The NCAA is, in turn, hopeful that the results of the mediation will address the Court's concerns concerning the class waiver in the Settlement Agreement.

5. The NCAA respectfully requests an extension of the deadline to supplement the record to May 16, 2016 while the Parties attempt to address through mediation the Court's January 26, 2016 Memorandum Opinion and Order.

6. Counsel for the NCAA conferred with Class Counsel and with counsel for Mr. Nichols on March 23, 2016. Class Counsel do not oppose the NCAA's request for an extension, provided that Class Counsel's deadline to supplement the record also be extended. Counsel for Nichols likewise do not oppose this motion. All agree to the requested extension.

7. In light of the above, the NCAA respectfully submits that good cause exists under Fed. R. Civ. P. 6(b)(1) for the requested extension and that this motion is not brought for purposes of delay.

WHEREFORE, the NCAA respectfully requests an extension of time until May 16, 2016 for the NCAA and Class Counsel to supplement the record. The NCAA further requests whatever other relief the Court deems appropriate.

Dated: March 23, 2016

Respectfully submitted,

/s/ Mark S. Mester

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**CERTIFICATE OF SERVICE**

I, Mark S. Mester, certify that on March 23, 2016, a true and correct copy of the foregoing Agreed Motion For An Extension of Time was filed through the ECF system and served upon the following parties by prepaid first class mail:

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